



*Village of Wellington*

# **REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL**

**Darell Bowen, Mayor  
Dr. Carmine A. Priore, Vice Mayor  
Lizbeth Benacquisto, Councilwoman  
Robert S. Margolis, Councilman  
Matt Willhite, Councilman**

**Wellington Community Center  
12165 West Forest Hill Boulevard  
Wellington, Florida**

**TUESDAY, OCTOBER 14, 2008  
7:00 PM  
FINAL AGENDA**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. INVOCATION**

Rev. Jeff Stanford, First Baptist Church of Wellington

**4. APPROVAL OF AGENDA**

**5. CONSENT AGENDA**

**A. MINUTES OF THE SEPTEMBER 9, 2008 REGULAR VILLAGE COUNCIL  
MEETING**

Council Approval of the Minutes of the September 9, 2008 Regular Village Council Meeting.

**B. APPROVE AWARD OF BID #024-08/JWV FOR ANNUAL PUBLIC WORKS CONTRACT**

Village Council approval of award of Bid #024-08/JWV for Annual Public Works Contract to all bidders (H & D Construction, Intercounty Engineering, Chaz Equipment, and Murray Logan Construction) for various budgeted construction projects and maintenance activities. Award to multiple contractors will allow projects to proceed in the most timely and cost effective manner.

**C. RESOLUTION R2008-115 (UTILITY UPGRADES AND REPLACEMENTS AND APPROVE BUDGET AMENDMENT)**

Meters within the Village utility have reached their end-of-life cycle and are overdue for replacement. This overdue condition is causing an approximate 25% reading failure rate throughout the utility. In order to correct these issues, staff seek to complete a replacement and upgrade project which will replace all water meters, install a Village-Wide WiFi system, upgrade the meter reading system and upgrade lift-station control units for a total cost of \$4,384,655.00. The funding of the project will be accomplished through Budget Amendment #2009-2 and the purchases will be accomplished through a variety of existing contracts and purchasing agreements (listed below).

**D. APPROVE "PIGGYBACK" PURCHASE OF A JOHN DEERE 35D EXCAVATOR**

Village Council approval of the "piggyback" purchase of one (1) John Deere 35D Excavator off Orange County Public Schools Contract 07-07-04. The excavator is to be purchased for use by Utilities Field Services. For FY 2007-08, a balance of \$112,600 remains in Water Meter Services/Machinery & Equipment/Fixed Assets to pay for the purchase.

**E. AWARD BID PUMPSTATION #2 REHABILITATION/REFURBISHING (\$81,976.00)**

Award Bid Inspection Services, RFP# 0285-08/RJB, "Pump Station #2 Rehabilitation/Refurbishing" to contracts to R & S Metal Works, LLC in the amount of \$81,976.00. Funding for this project is allocated in the CIP Budget in Project #200409 Pump Station #2 with an available balance of \$872,817.00.

**F. RESOLUTION NO. R2008-98 (PALM BEACH COUNTY DROWNING PREVENTION COALITION "BUCK PROGRAM" CONTRACT RENEWAL)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA APPROVING AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE DROWNING PREVENTION COALITION OF PALM BEACH COUNTY TO PROVIDE VOUCHERS FOR FREE SWIMMING LESSONS UNDER THE "BUCK**

**PROGRAM" FOR FISCAL YEAR 2008-2009; AND PROVIDING AN EFFECTIVE DATE.**

Staff requests Council approval of the 2008-2009 contract renewal for the Palm Beach County Drowning Prevention Coalition "Buck Program", first approved on June 14, 2005.

**G. RESOLUTION NO. R2008-99 (WELLINGTON DOG PARK SPONSORSHIP AGREEMENT)**

Staff requests Council approval of the agreement between the Village and Marc Pinkwasser DVM, PA aka Courtyard Animal Hospital for sponsorship of the Wellington Dog Park for a period of five years.

**H. RESOLUTION R2008-114 (ACCEPTANCE OF INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY FOR FINANCIAL ASSISTANCE UNDER THE KEEP PALM BEACH COUNTY BEAUTIFUL PROGRAM)**

**A RESOLUTION OF THE VILAGE COUNCIL OF THE VILLAGE OF WELLINGOTN, FLORIDA APPROVING AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY FOR FINANCIAL ASSISTANCE UNDER THE KEEP PALM BEACH COUNTY BEAUTIFUL PROGRAM; AND PROVIDING AN EFFECTIVE DATE.**

Village Council approval to execute the Financial Assistance Agreement.

**I. RESOLUTION R2008-113 (APPROVING PLAT OF WELLINGTON GREEN, A MUPD/PUD, REPLAT NO.1)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA ACCEPTING AND APPROVING THE PLAT OF WELLINGTON GREEN, A MUPD/PUD, RE-PLAT NO. 1 BEING A RE-PLAT OF TRACT F, TRACT W-7 AND WATER MANAGEMENT TRACT D OF THE PLAT OF WELLINGTON GREEN, A MUPD/PUD; AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE PLAT; AND PROVIDING AN EFFECTIVE DATE.**

Authorization to accept and approve the Wellington Green, a MUPD/PUD, Re-plat No. 1 being a re-plat of Tract F, Tract W-7 and Water Management Tract D of the Plat of Wellington Green, a MUPD/PUD as recorded in Plat Book 87, Pages 81 through 90 of the Public Records of Palm Beach County, Florida.

**6. PRESENTATIONS AND PROCLAMATIONS**

**A. PROJECT LIFESAVER OF PALM BEACH COUNTY PRESENTATION**

Michele Damone of the Indian Trail Improvement District will be in attendance to make a presentation to Council regarding Project Lifesaver of Palm Beach County.

**7. PUBLIC HEARINGS**

**A. ORDINANCE NO. 2007-13 (MIXED USE FUTURE LAND USE MAP)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING THE TEXT OF THE VILLAGE OF WELLINGTON COMPREHENSIVE PLAN BY REPEALING THE EXISTING POLICY 1.3.24 REGARDING THE "MIXED USE" FUTURE LAND USE DESIGNATION; PROVIDING A NEW POLICY 1.3.24 AND CREATING THE "MIXED USE" FUTURE LAND USE DESIGNATION; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS, PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Second reading of a request to amend the Mixed Use designation of the Comprehensive Plan's Future Land Use Element to provide for additional types of permitted mixed projects. The proposed amendment creates additional types of mixed use categories, generally with reduced residential densities, to allow for mixed use projects with a reduced number of dwelling units.

**B. ORDINANCE NO. 2008-12 CONGREGATE LIVING FACILITIES COMPREHENSIVE PLAN TEXT AMENDMENT**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING THE VILLAGE OF WELLINGTON COMPREHENSIVE PLAN BY EXPANDING THE LAND USE ELEMENT TO AMEND LAND USE ELEMENT POLICY 1.3.9 TO ENABLE CONGREGATE LIVING FACILITIES WITHIN THE STATE ROAD 7 CORRIDOR TO BE LIMITED TO A MAXIMUM HEIGHT OF 72 FEET; TO AMEND LAND USE ELEMENT POLICY 1.4.5 TO ENABLE CONGREGATE LIVING FACILITIES WITHIN THE RESIDENTIAL F LAND USE CATEGORY BE ELIGIBLE FOR A DENSITY BONUS OF 25% IN ADDITION TO THE PUD MAXIMUM DENSITY BONUS; TO AMEND LAND USE ELEMENT POLICY 1.5.1 TO ADD SUBCATEGORY (C) NOTING THE ALLOWANCE FOR THE RESIDENTIAL DENSITY BONUS OF 25% TO BE MADE PART OF THE VILLAGE'S LAND DEVELOPMENT REGULATIONS ; TO ADD LAND USE ELEMENT POLICY 1.5.5 TO INCLUDE PROVISIONS FOR RESIDENTIAL DENSITY BONUS FOR THE ENCOURAGEMENT OF DEVELOPMENT OF CONGREGATE LIVING FACILITIES; AUTHORIZING THE TRANSMITTAL OF THE AMENDMENT TO THE FLORIDA DEPARTMENT OF**

**COMMUNITY AFFAIRS; AUTHORIZING THE VILLAGE MANAGER TO AMEND THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

The applicant is the second reading of a request to modify text of the Land Use Element of the Comprehensive Plan in order to:

1. Amend Land Use Element Policy 1.3.9 to enable Congregate Living Facilities (CLFs) within the State Road 7 (SR 7) Corridor to be constructed at a maximum height of 72 feet.
2. Amend Land Use Element Policy 1.4.5 to enable Congregate Living Facilities within the Residential F Land Use category be eligible for a density bonus of 25% in addition to the PUD maximum density bonus.
3. Amend Land Use Element Policy 1.5.1 to add subcategory (c) noting the allowance for the residential density bonus of 25% to be made part of the Village's Land Development Regulations (LDRs).
4. Add Land Use Element Policy 1.5.5 to include provisions for residential density bonus for the encouragement of development of Congregate Living Facilities.

**C. ORDINANCE NO. 2008-17 RENTAL LICENSES**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, RELATING TO LICENSING AND REGULATION OF RESIDENTIAL RENTAL UNITS; AMENDING THE CODE ORDINANCES OF THE VILLAGE OF WELLINGTON, FLORIDA BY RE-ENACTING CHAPTER 71 "RENTAL DWELLING UNIT LICENSES," TO PROVIDE FOR THE MANDATORY LICENSING AND INSPECTION OF RESIDENTIAL UNITS HELD OUT FOR LEASE OR RENT AND PROVIDING RULES AND REGULATIONS PERTAINING TO SUCH LICENSES AND INSPECTIONS; PROVIDING THAT ANNUAL LICENSE AND INSEPCTION FEES SHALL NOT BE PAID IF THERE IS NO CHANGE IN THE OWNERSHIP OF THE RENTAL DWELLING; AND PROVIDING PENALTIES FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE CHAPTER; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE ; AND PROVIDING AN EFFECTIVE DATE.**

Approve a re-enactment of the "Rental Dwelling Unit Licensure Ordinance.

**8. REGULAR AGENDA**

**A. RESOLUTION R2008-106 (EQUESTRIAN COMMITTEE RESOLUTION)**

Approve Resolution R2008-106 as presented.

**B. DISCUSSION OF THE STATUS OF THE SITING OF THE WESTERN LANDFILL  
BY THE SOLID WASTE AUTHORITY**

Direction to Village Manager and Staff as to what actions the Village should take concerning the proposed landfill location.

**9. ATTORNEY'S REPORT**

**10. MANAGER'S REPORT & UPDATES**

**11. COUNCIL REPORTS**

**12. CLOSING COMMENTS**

**13. PUBLIC FORUM**

**14. ADJOURNMENT**

**NOTICE**

If a person decides to appeal any decision made by the Village Council with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript).

Pursuant to the provision of the Americans With Disabilities Act: any person requiring special accommodations to participate in these meetings, because of a disability or physical impairment, should contact the Village Manager's Office (561) 791-4000 at least five calendar days prior to the Hearing.